

ONE HUNDRED THIRTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

Majority (202) 225-2927  
Minority (202) 225-3641

January 31, 2014

The Honorable Tom Wheeler  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20515

Dear Chairman Wheeler:

Pursuant to Rules X and XI of the U.S. House of Representatives, the Committee on Energy and Commerce seeks documents and information relating to the budget and operating expenses of the Federal Communications Commission (FCC).

In the current economic climate, it is more important than ever that agencies and the federal government are fiscally responsible and spend American citizens' money wisely. The need to cut federal spending is not in dispute, and eradicating waste and promoting efficient and effective spending must be a priority. In our Committee's oversight role, we are looking at the operating budget of the FCC with a focus on expenditures designated as auction-related expenses, as well as employee distribution and compensation more generally.

The FCC reports that the agency had 1,725 Full-Time Equivalent (FTE) employees in FY 2012 and 1,723 in FY 2013. Based on a review of the agency's budget reports and appropriations requests from recent years, it appears that the Commission's staffing levels will rise in FY 2014, to the proposed level of 1,821 full time employees, an increase of 98 FTEs from the FY 2013 level. Notably, the Commission's Wireline Competition Bureau's staffing level for FY 2014 is 57 FTEs above the FY 2012 level. We are particularly interested in this bureau's growth given the changing role of wireline technology in the telecommunications ecosystem. Because this increased level of staffing contradicts stated efforts to contract the agency and its spending, we are interested in learning more about the Commission's need for additional FTEs.

In addition to full-time staff compensated according to the General Schedule pay table and Senior Executive Service pay table, it is our understanding that the Commission retains several contract employees as well as employees under the Revised Intergovernmental Personnel Act (IPA). We are interested in learning more about the contracting process, the compensation structure for contract employees and the use of the IPA. While it is important for the

Commission to have access to experienced and knowledgeable consultants, it is also critical to do so in a way that is fiscally responsible.

Another area of concern for the Committee is those expenditures funded using authority for auction cost recovery reimbursement. According to the Commission's annual budget report, the funds are intended to "cover the personnel and administrative costs required to plan and execute spectrum auctions; operational costs to manage installment payments and collections activities; development, implementation, and maintenance of all information technology systems necessary for Auctions operations, including development of a combinatorial bidding system, and a proportional share of the general administrative costs of the Commission based on a split of direct FTE hours charged to auctions in the previous year." We are interested in learning more about the use of auction revenues to cover costs unrelated to the direct administration and execution of spectrum auctions. These funds are intended to enable successful auctions and the fund should be expended in a manner consistent with that objective, rather than contributing to the Commission's general budget.

In order to facilitate a thorough review of the Commission's budget and personnel needs, please provide answers and supporting documentation to the following questions by February 14, 2014:

1. The Commission employed 1,723 FTEs in FY 2013 and has a predicted FTE level of 1,821 for FY 2014. Please confirm that the Commission plans to add an additional 98 FTEs in FY 2014 and identify the offices or bureaus to which these individuals will be assigned and the location of employment. In addition, please explain why these offices or bureaus need additional staffing, and identify the specific assignments and projects or work the new FTEs will be performing. Please produce any documents, including memoranda or analyses that relate or refer to the need for additional FTEs in FY 2014.
2. The Wireline Competition Bureau's staffing level for FY 2014 is 57 FTEs above the FY 2012 level. For each FTE in the Bureau and those that have been reassigned, transferred, or detailed since the close of FY 2011, please identify the following information:
  - a. The date on which employment commenced
  - b. Title and salary
  - c. Location of employment
  - d. Job responsibilities
  - e. Current assignments and projects
  - f. For FTEs that have transferred or been reassigned from the Wireline Competition Bureau to other bureaus and offices, the identity of the bureau and office to which they transferred or were reassigned and the effective date of the transfer or reassignment
  - g. For FTEs that have been detailed to other bureaus or offices or other federal agencies, the identity of the bureau, office or other federal agency



to which they have been detailed, and the starting date and length of such detail

3. For each FCC employee in the Senior Executive Service, please provide:
  - a. The date on which employment commenced
  - b. Title and salary
  - c. Location of employment
  - d. Job responsibilities
  - e. Current assignments and projects
4. For each member of the FCC staff performing duties pursuant to an IPA agreement for services since 2008, please provide:
  - a. The identity of the State, local or Indian tribal government, institution of higher education, or other eligible organization by which they are employed
  - b. The date on which service to the FCC commenced under the IPA agreement for services
  - c. The terms of any cost-sharing between the participating organizations under the IPA agreement for services
  - d. The costs paid by the FCC associated with the assignment.
  - e. Identify those instances in which the IPA agreement is with an institution of higher education and income from private consulting work is included in the determination of the academic pay of the university employee performing duties under an IPA agreement
  - f. Title
  - g. Location of employment
  - h. Job responsibilities
  - i. Current assignments and projects
5. The Commission has increasingly relied on bringing in personnel through the contracting process to supplement the General Schedule and Senior Executive Service. Please provide the following:
  - a. The total number of contract employees providing service to the FCC
  - b. The number of contract employees assigned to each bureau and office
  - c. The location of service
  - d. The number of contract employees whose salary exceeds the General Service pay table for a GS-15 step 10 in the locality in which service is provided
  - e. Copies of the contract for services for each employee identified in (d) above.
  - f. Current assignments and projects performed by each employee identified in (d) above.

6. In its Report to Congressional Requesters, *FCC Management: Improvements Needed in Communication, Decision-Making Processes, and Workforce Planning*, GAO-10-79, issued December 17, 2009 (Report), GAO made the following recommendation:

Recommendation: To improve FCC's workforce planning efforts, the FCC should, in revising its current Strategic Human Capital Plan, include targets that identify the type of workforce expertise needed, strategies for meeting these targets--including methods to more flexibly augment the workforce--and measures for tracking progress toward these targets.

As of December 17, 2009, according to GAO, the Commission had not incorporated specific targets, strategies, and measures into the Strategic Human Capital Plan.

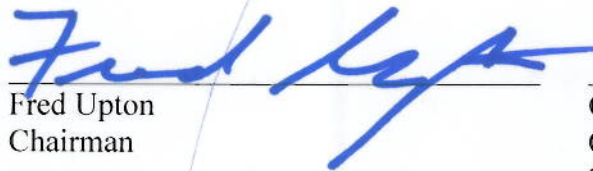
- a. In the four years since the issuance of the GAO report and recommendations, has the Commission incorporated into the Strategic Human Capital Plan targets that identify the type of workforce expertise needed, strategies for meeting these targets--including methods to more flexibly augment the workforce--and measures for tracking progress toward these targets?
  - b. Please explain how the increase in FTEs to the proposed level of 1,821 for FY 2014 is supported by the specific targets, strategies, and measures incorporated into the Commission's Strategic Human Capital Plan.
7. In its Report, GAO notes "without specific targets, FCC cannot monitor and evaluate the agency's progress toward meeting its expertise needs." If the Commission has not included targets that identify the type of workforce expertise needed, strategies for meeting these targets--including methods to more flexibly augment the workforce--and measures for tracking progress toward these targets into the Strategic Human Capital Plan, please explain the basis for the proposed increase in FTEs for FY 2014. Please explain the Commission's decision not to include such metrics, and identify and explain alternative metrics the Commission has implemented consistent with GAO's recommendation, if any, to monitor and evaluate its progress to effectively manage the human resources of the FCC.
8. The Commission's Strategic Plan 2012-2016 includes among its strategic goals and objectives the following: "[t]he Commission will continue to recruit or appropriately redeploy, and retain talented professionals, and will continue a robust training program to maintain proficiency among its professional staff." Please explain whether the Commission examined the redeployment of personnel from other bureaus and offices as a means to address its staffing needs in the Wireline Competition Bureau for FY 2014.

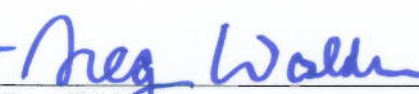


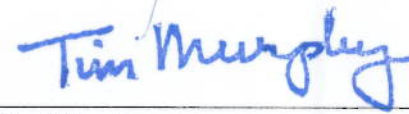
9. A proportional share of general administrative costs of the Commission are charged to the auction program based on a split of direct FTE hours charged to auctions in the previous year. Please explain the methodology by which this share is derived.
10. In reference to the Annual Report of expenditures from the commission's auction budget submitted for each of the fiscal years 2008-2013, Please provide the following information related to the Commission's auction expenditures for each year by Budget Class Code (BOCC).
  - a. Identify the amount of general administrative costs charged to the auction budget by BOCC for each bureau and office.
  - b. Identify the amount of Personnel Compensation & Benefits costs charged to the auction budget for each bureau and office.
  - c. List the title and salary of each Commission FTE and the bureau or office to which they are assigned whose work includes the planning and execution of spectrum auctions.
  - d. List the title and salary of each Commission FTE who develops, maintains and implements information technology systems for auction operations and the bureau or office to which they are assigned. Please explain how the budget for information technology for auction operations compares to the Commission's total budget for information technology.
  - e. Identify the total number of FTE hours that were charged to auction operations, planning, or implementation by each bureau and office. Please produce any records or documents relating to the number of FTE hours spent on operating, planning, or implementing the auction.
  - f. Identify the total number of contractor hours that were charged to auction operations, planning, or implementation by each bureau and office. Please produce any records or documents relating to the number of contractor hours spent on operating, planning, or implementing the auction.


Please contact Committee staff to arrange delivery of the materials. An attachment to this letter provides additional information on how to respond to the Committee's request. If you have any questions, please contact David Redl or Karen Christian with the Committee at (202) 225-2927.

Sincerely,

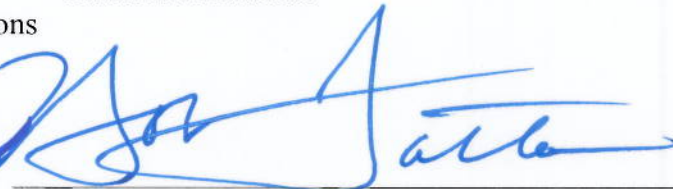
  
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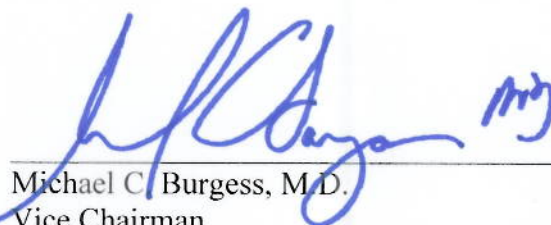
  
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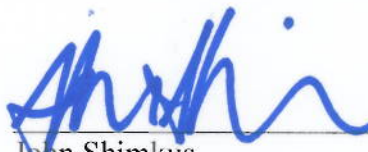
  
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Subcommittee on Oversight and Investigations

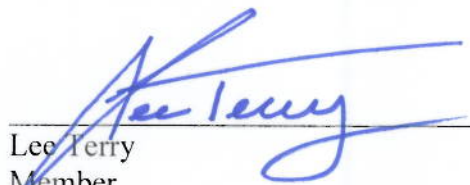
  
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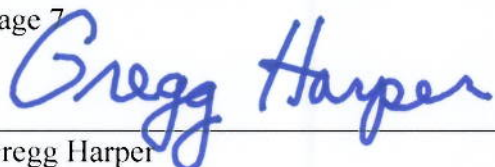
  
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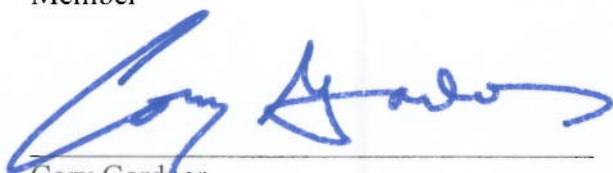
  
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Member



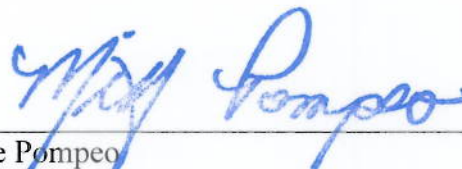
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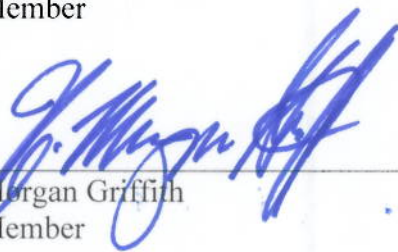
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Cory Gardner  
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Mike Pompeo  
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Morgan Griffith  
Member



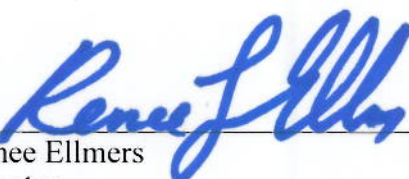
Bill Johnson  
Member



Adam Kinzinger  
Member



Billy Long  
Member



Renee Ellmers  
Member



Cc: The Honorable Henry Waxman, Ranking Member

The Honorable Anna Eshoo, Ranking Member  
Subcommittee on Communications and Technology

The Honorable Diana DeGette, Ranking Member  
Subcommittee on Oversight and Investigations

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